

**LITE DEPALMA GREENBERG, LLC**

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*Attorneys for Plaintiff*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

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SANJAY SAINI, Individually And  
On Behalf Of All Other Similarly  
Situated Residents,

Plaintiff,

vs.

BMW OF NORTH AMERICA,  
LLC,

Defendant.

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Civil Action No. 12-cv-6105(CCC)(JAD)

**CLASS ACTION**

**PLAINTIFF'S UNOPPOSED MOTION FOR PRELIMINARY APPROVAL  
OF THE CLASS ACTION SETTLEMENT**

**PLEASE TAKE NOTICE** that on July 7, 2014, at 10:00 a.m., or soon thereafter as counsel may be heard, plaintiff will move before Hon. Claire C. Cecchi, U.S.D.J., at the U.S. District Court, M.L. King, Jr. Federal Building & Courthouse, 50 Walnut Street, Newark, New Jersey 07102, for the entry of an Order:

- (1) conditionally certifying a class action with respect to the claims against Defendant pursuant to Fed. R. Civ. P. 23(a) and 23(b)(3) for

the purpose of effectuating a class action settlement of the claims  
against Defendant;

- (2) preliminarily approving the proposed Settlement;
- (3) directing notice to class members consistent with the Notice Plan in  
the Settlement; and
- (4) scheduling a Final Approval Hearing.

In support of Plaintiff's motion, Plaintiff relies upon the accompanying  
Memorandum of Law and Certification of Bruce D. Greenberg with exhibits. A  
proposed form of Order is also submitted herewith.

Plaintiffs hereby request that this motion be decided on the papers pursuant  
to Rule 78 of the Federal Rules of Civil Procedure.

Dated: June 13, 2014

**LITE DEPALMA GREENBERG, LLC**

By: /s/ Bruce D. Greenberg

Bruce D. Greenberg

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**CERTIFICATE OF SERVICE**

I, Bruce D. Greenberg, hereby certify that on June 13, 2014, I caused a copy of (a) Notice of Plaintiff's Unopposed Motion For Preliminary Approval of The Class Action Settlement; (b) Memorandum of Law in Support of Plaintiff's Unopposed Motion For Preliminary Approval of The Class Action Settlement; and (c) Declaration of Bruce Greenberg with Exhibits 1-3, to be served upon all counsel of record through the Court's ECF system.

/s/ Bruce D. Greenberg  
Bruce D. Greenberg